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Medical offices and HIPAA requirements

What is HIPAA?

HIPAA – the Health Insurance Portability and Accountability Act – legislates how a patient's information is managed, viewed, documented and transported in both interoffice and intra-office settings. The law protects both physical and electronic data and documents.

Not only does the law require patients' medical history be protected, but it has also forced organizations with access to this information to assess security needs and gaps, and develop/implement policies that will ensure they are meeting their obligations. Both physical and logical security must be included in this process.

Changes in privacy standards were enacted for healthcare information as part of the American Recovery and Reinvestment Act (ARRA) of 2009 and include several provisions that strengthen the civil and criminal enforcement of HIPAA rules. The HITECH Act (Health Information Technology for Economic and Clinical Health Act) promotes the adoption and meaningful use of health information technology and adds the following elements to current HIPAA requirements:

- Increased notification requirements for unauthorized acquisition, access, use or disclosure of unsecured patient health information as a result of a security breach
- New security standards for Electronic Medical Records (EMR)
- Expanded scope to include business associates and vendors of healthcare providers

Healthcare organizations, as well as their business associates, are accountable for the actions (or inactions) of their employees. This includes:

- Designating a privacy official, the person responsible for your HIPAA compliance program
- Identifying all information that must be protected
- Determining who should have access to documents and data
- Defining under what circumstances they may view this information
- Establishing how the information must be protected from inadvertent viewing or disclosure
- Clarifying when and how information may be shared internally and externally
- Providing and documenting training to all staff authorized to use this information
- Testing and identifying security gaps
- Defining how processes will be audited to ensure compliance

Since HIPAA addresses information security from a comprehensive perspective, every place this information resides or passes through, both physically and electronically, must be protected. The difference between being HIPAA compliant and being in violation of these laws could come down to something as simple as the whether or not a door closes and locks properly.

What happens if there's a breach or we're not compliant?

ARRA, which was signed into law on February 17, 2009, established a tiered civil penalty structure for HIPAA violations. Penalties are based on the nature and extent of the violation as well as the nature and extent of the harm resulting from the violation. Penalties for knowingly violating the rules may include monetary fines as well as imprisonment.

Questions to ask

- Have your locks been rekeyed since the last occupant moved out?
- Do you have an account of all of your keys/master keys?
- Are your physical patient medical records located in a room that can be secured?
- Does the lock on your medical records room provide an audit trail of who has accessed the records and when?
- Are your computers and network secure against unauthorized access?
- Is your entire staff trained on the requirements of complying with HIPAA and HITECH?
- Are you and your business associates and vendors aware of the ramifications of not complying to HIPAA?
- Do you have a plan in place in case a breach would happen?

Options for increasing the security of medical records:

There are different ways to secure areas that house physical records or computers that store electronic records:

- Mechanical locking and door hardware to secure the area
- Electronic access control to set security rights and track access
- Credentials for identification, access control and logical access
- Setting policies and procedures, and training staff members

Allegion can help you plan and implement the right solution for every area of your facility. We can work with you to make small changes now that will add up to a big impact in the future—all while staying within your budget.

About Allegion

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